



City of
Peterborough

To: **Members of the General Committee**

From: **Richard Freymond
Commissioner of Corporate and Legislative Services**

Meeting Date: **November 12, 2019**

Subject: **Report CLSFM19-016
Emergency Procurement of Renovation Services at the
Material Recycling Facility**

Purpose

A report to provide information on the the Emergency Procurement for Renovation Services at the Material Recycling Facility.

Recommendation

That Council approve the recommendation outlined in Report CLSFM19-016 dated November 12, 2019, of the Commissioner of Corporate and Legislative Services, as follows:

That the renovation requirements for the Materials Recycling Facility, originally sought through ITT-050-19 and subsequent Change Notice 001 and now appointed to Halton Recycling Ltd. (dba Emterra Environmental), 1122 Pioneer Road, Burlington, Ontario, L7M 1K4 under the emergency procurement provisions of Part 8 of By-law 18-084, at a cost of \$306,674 plus HST of \$39,868 for a total cost of \$346,542, be received for information.

Budget and Financial Implications

The net \$312,072 requirement, after applicable HST rebates, can be accommodated within the unused portion of the \$423,500 Capital Budget created in the June 2019 Quarterly Report.

Chart 1 Total Renovation Project Costs

Line	Description	Amount
1	Removal and replacement of 870 m ² of concrete floor ⁽¹⁾	\$192,992
2	Removal and replacement of concrete entrance slabs	\$11,092
3	Removal and replacement of asphalt aprons	\$12,500
4	Bollards	\$12,000
5	New hydraulic dock levelers (2) by "Blue Giant"	\$20,000
6	Sprinkler upgrades & repairs	\$4,750
7	Fire Alarm upgrades & repairs	\$15,200
8	Change Notice #1 Interior Office and Washroom work	\$38,140
9	Sub-Total	\$306,674
9	City's portion of HST	\$5,398
10	Total Renovation Cost	\$312,072

Note 1) ITT-050-19 awarded to Snyder Construction included the replacement of only 142 m² of concrete floor

Background

Brief Description of the Work

The operation of the Materials Recycling Facility (MRF) will change operators on November 1, 2019. As part of the RFP P-24-18 the City is obligated to bring the building back to original conditions, as such, concrete floor repairs; concrete entrance slabs; asphalt repairs; new bollards; new hydraulic dock levelers; sprinkler and fire alarm

upgrades; washroom re-fits (4) office areas, lunchroom and washroom repainting and some flooring replacement will be required.

The current tenant is required to vacate the operational area, or rear of the building on or before November 30, 2019. Negotiations took place during the award process that required any repair work to the operational area of the building be completed by December 22, 2019. This would only allow the repair work to take place over a three-week period.

ITT-050-19 was issued on August 29, 2019 and prepared by City staff. The project was awarded to Snyder Construction, by the ASC through Report CLSFM19-012, dated October 2, 2019.

In preparation for the transition to the new operator, meetings with Emterra and City staff take place weekly. Recent discussions have involved renovation work required by Emterra for their new sorting equipment that will be installed in the operational area of the MRF, currently scheduled for January 6, 2020. As part of this installation Emterra has a requirement for two very large pits to be constructed which is in the same area as the City's concrete floor repair work. Emterra inquired about starting their pit work as early as November 1, 2019 prior to the City starting their concrete floor repairs. There is a safety issue when two separate contractors occupy the same workspace. Under the requirements of the Workplace, Safety and Insurance Board, there needs to be a clearly defined separation of space, otherwise the owner then becomes the constructor and fully responsible for all work and safety. The City does not want to be the constructor or take on that liability.

As there is an emergent need to solve this issue and both parties need to be in the same space to meet their individual requirements and deadlines, Emterra indicated they were willing to take on all work under their General Contractor for the pricing submitted by Snyder Construction inclusive of Change Notice #001. In order to accomplish this an immediate decision was required by the City, so that Emterra could create all necessary drawings and permit requirements to obtain a building permit and be ready to start work by November 1, 2019. Therefore, an emergency procurement was required to appoint the work to Emterra immediately.

The City and Emterra have reviewed all required work on site and subsequently determined that 870 m² of concrete floor needed to be replaced. The extra concrete floor repair work was agreed to be done at the original submitted m² price by Snyder Construction. The City is receiving increased value for the work being performed at a reduced cost. Once this interior work is completed, it will be Emterra's responsibility to maintain the facility and make good any further wear items prior to the end of their contract.

Additional exterior repairs will be budgeted in future years Capital Budgets and will not affect operations. The expected exterior repairs to foundation walls and metal siding are ongoing life cycle issues and are the City's responsibility to maintain.

Emergency Procurement

Part 8 of the Procurement By-law 18-084 requires that as soon as possible after the Emergency, if an Emergency purchase greater than \$50,000 has been made pursuant to Part 8, and where the expenditure would normally have been subject to a Competitive Process, a report shall be prepared by the requesting Commissioner explaining the action taken and reasons therefore. In this instance, as the expenditure is greater than \$100,000 a report must be submitted to Council.

Timelines

Emterra Environmental started the work on November 1 and will be complete by the end of December 2019.

Summary

The Emergency Procurement and subsequent reporting as described in this report, has been made in accordance with Procurement By-law 18-084.

Submitted by,

Richard Freymond
Commissioner of Corporate and Legislative Services

Contact Name:

Mac MacGillivray
Facilities & Energy Manager
Phone: 705-742-7777 Ext 1852
Toll Free: 1-855-738-3755
E-mail: mmacgillivray@peterborough.ca